DEBATE IN SENATE.

LIEUTENANT GENERAL OF THE ARMY.

THURSDAY, DECEMBER 22, 1853. The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution to confer the title of Lieutenant General by brevet for eminent services. It proposes to revive the grade of Lieutenant General by brevet in the army, in order that the Presi-dent and Senate may acknowledge eminent services in the last war with Mexico by the conferring of that title by brevet, with a proviso that when it shall have been

illed and become vacant it shall not again be conferred. Mr. ADAMS. A similar proposition was before the Senate at the last session of Congress, having reference by name to a distinguished general who has rendered service to his country, Gen. Scott. 1 opposed it then upon principle. I was then, as I am now, of opinion that that ruished individual, having received a vote of thanks from the representatives of the people in both branches of Congress, had conferred upon him the highest compliment that could be legitimately bestowed upon him. concurred fully in the propriety of that vote of thanks; but to create a title in this republican Government simply for the purpose of distinction is, in my humble opin-ion, wrong, and is setting a bad precedent. If we want to give him a title let us give him an old and familiar no necessity for creating additional rank, because I think to desire can be received in the positions already provid-American Congress to be conferred upon an individual, in my humble judgment, bestows no honor upon him, nor does it benefit the institutions of the country. These, sir, are my objections to the joint resolution. I shall ask

for the yeas and nays upon its passage.

Mr. WALKER. Mr. President, I feel very much as the Senator from Mississippi does. I have some aver-sion to making any opposition to the passage of this re-solution, and particularly upon the ground that I do feel opposition to it; for I know that the ground of objection to it, in my own mind, is one that does not obtain in the estimation of the honorable Senator who introduced it, (Mr. Shields.) I know that no one is prompted by a more patriotic feeling, by a stronger devotion to the con-

ments in Europe, would any one hesitate for a moment to say that this proposition would embrace a case which was intended to be prohibited by the Constitution? The titles well be the subject of more serious contemplation.

The Senator said that, if this be a violation of the Constitution of the Constituti We now recognise certain titles existing there as known titles of nobility. This is not among them. But what was the meaning of the Constitution.

that of lieutenant general? Suppose that in the case of the distinguished individual to whom, more than any other, this resolution is designed to refer, we should, instead of saying lieutenant general, propose to confer the title of Duke of New Jersey, would any one then doubt we divest it of any association whatever with the perfor an instant that it was an infringement not only of the formance of duty, do we not at once perceive something spirit but of the very letter of the Constitution? It counter to the spirit of the Constitution, something that

seems to me that no one could doubt it.

Now, sir, this title of distinction, of pre-eminence, or, if you please, having reference to the spirit of the Connected with the performance of any duty. Ours was designed to be a plain Government. When an individual was called upon to perform public service, to designate his character an official name was permitted by the Constitution to be given to the character of his employment. But, as I view it, the Constitution was intended to prohibit the bestowal of any style, name, or mark of distinction unconnected with the absolute performance of duty to the public. I may be wrong, or I may be right; but, while it is the Constitution, I am unwilling to go

Suppose, sir, that some one shall outstrip even the gal-

for I know not what I am about to do.

Mr. SHIELDS. Mr. President, I do not think it necessary to waste much time in attempting to reply to the tions with their combined armies shall be coming against honorable Senator from Wisconsin. He paid me a com-pliment for which I must return him my thanks. I should certainly regret very much knowingly to bring in any resolution which would violate the Constitution, either in Washington or Scott; what shall we do for him? Ah,

The title of general, the highest title, which in some countries is called generalissimo, was conferred on Gen. Washington. He commanded the army in the revolutionary war by that title. It is the highest title in a military sense that can be conferred upon a man. Napoleon, it is true, created the title of marshal, but it was very much the same. Afterwards the title of lieutenant general was conferred upon Washington, by mistake, at a time | been and was about to be placed at the head of the army by the title of lieutenant general; but it was found that, in colonel, a brigadier general, a major general.

repeat it, that of all the officers who served in the Mexi- new military rank by a military name. war the only one who derives no benefit, no profit, no technical honor from his services is Gen. Scott. brevet, and others had the honor of receiving two, and other class or order. When you speak of the nobility some even three brevets; lieutenants, captains, and upon the continent of Europe, or in England, that sepacolonels received brevets for almost every act of gallant service; and yet, sir, the man who, at the head of that ed. The prohibition in the Constitution is against grant army, conducted it not only with success, but with such ing a title creating such a class or such a distinction of nor additional honor, except such as the country voluntarily bestowed upon him for his glorious service. What which he has raised. is the object of this resolution? Merely to do him that sustice which has been done to the whole army that served under him. And how long will this last? Gen. Scott is an old man. He is far advanced in life, and I am sorry to say that there will soon be very few of these men upon | I were to say he has shed luster upon our arms and re whom you can confer brevets or any thing else. They nown upon our country, I should but re-echo what has been said not only here, but abroad; but there is one fearbho participated in that war, have fallen; but few of ture which has, I confess, impressed me more strongly in them are left. You will not be troubled with them long. the career of this gallant captain in a foreign country.

Those who did not fall by the sword brought home disease than any which has been alluded to. It is the great molution met with at the last session, not in this body, I am vastation, no ruin; he sacked no villages, plundered no happy to say, but in the other House. If there is to be people; but cast over them the arm of his protection any opposition to arise to it, I should prefer that it would wherever he went. When he seized their capital he escome from some of our friends on this (the Whig) side of tablished a police law which will impress itself upon the generous and magnanimous. If there is any principle countenancing or permitting the least license in his solthat I value most highly in democracy it is that I believe diers, in his officers, in the hangers-on of his camp, the it is generous and liberal towards its opponents; for even least violation of his strict orders in that respect was ex- shown that the interests of this country require that the

liberty without liberality is sometimes rather harsh. I shall not waste the time of the Senate by saying any has made a mistake in supposing that this resolution can ham than the prowess of his arms. And where does he the law ought to be a permanent one, and should apply by any possibility be construed or tortured into a violaviolating the constitution ever since it was framed.

Mr. PETTIT. Before the Senator sits down I wish to ask him a question. Will this rank confer greater emolu- additional military rank. ments or greater pay on Gen. Scott?

and wish that it should.

nator means by "substance."

as the substantial thing, and upon the title as the "bau-ble;" but soldiers sometimes, without any reference to money or pecuniary advantages, like to earn and receive such baubles. I am happy to say that this substantial interest is not as highly prized in the army as it is in some civil branches.

Mr. PETTIT. 1t is now-a-days considered necessary to

have some regard to filthy lucre. [Laughter.]
Mr. SHIELDS. But, sir, as I remarked before, my
hope is that Gen. Scott will, for the few short years he is

to remain among us, receive some additional compensa-tion. I think he deserves it, and ought to have it. Mr. PETTIT. Is there any higher command which he

can have to entitle him to it?

Mr. SHIELDS. No, sir; there is no bigher command.

That is very true. He cannot have a higher command than that of being the commanding general of the army, next to the President, who is the commander-in-chief. I repeat that I not only wish to see the title conferred upon him, but I expect that additional pay will also be granted. Mr. WALKER Mr. President, the Senator from Illi-

nois is not doubtless aware that he has, in the course of his remarks, given perhaps the best justification for my objection which he could have given. He says that Gen. cott is the only officer who fought in the Mexican war who has not received any honorary, any titular reward. one, as duke or lord. If you wish to spe foreign Powers, are them: follow them in language and in terms. I see let any Senator do it, and find, if he can, (and if he find it let him point it out to me or to the Senate,) where that as much honor as any military man or civilian ought | there is any authority for titular reward in that instrument. Upon the contrary, there is the most express proed for by law. If there be a necessity for this office, pro-vide for it by law; but a mere title to be created by the deserved it more meritoriously than that Senator.

Mr. SHIELDS. Will the Senator from Wisconsin permit me to ask him whether he does not recognise a distinction-a broad, clear, and marked distinction-between

military titles and titles of nobility?

Mr. WALKER. I do not, when the style of title is conferred unassociated with the performance of duty, but as a mere mark of distinction above and pre-eminent to his associates. The Senator has likened this case to the might well be the subject of very serious consideration. title than can now exist by law, will confer any addition-I know of many who have been breveted since I have had the honor of a seat upon this floor. It gave me pleasure, which has already passed the two Houses of Congress. itution than that honorable Senator

I know of many who have been breveted since I have had the honor of a seat upon this floor. It gave me pleasure, Senate is that it is a violation of the spirit of the Constitution. Suppose that at the time the Constitution was concerned, to see those brevets bestowed. In no case was adopted the title proposed to be conferred in this case I more pleased than in the case of the honorable Senator had been only known to exist under monarchical Governments in Europe, would any one hesitate for a moment to

was the meaning of the Constitution? I take it to be first remarks that when an individual is set aside for the simply this: a prohibition to confer any style or title performance of duty, he is from necessity to receive some designation, but it is always associated with duty. When duty—any style or title which might be deemed a mere we speak of a captain, we speak of one who has command designation, but it is always associated with duty. When we speak of a captain, we speak of one who has command of a company, and whose duty it is to command of a company, and whose duty it is to command of a regiment, and whose duty it is to command that regiment, and whose duty it is to command that regiment, and whose duty it is to command that regiment. It is where the office has existed that we can do by way of compliment, and when we shall have made him a pecuniary compensation at the highest point which the Military Committee shall deem him entitled to, like the findividual has been compliment. It is where the office has existed that we can do by way of compliment, and when we shall have made him a pecuniary compensation at the highest point which the Military Committee shall deem him entitled to, like the findividual has been compliment. It is where the office has existed that we can do by way of compliment, and when we shall have made him a pecuniary compensation at the highest point which the Military Committee shall deem him entitled to, like the findividual has been complimented with the title of a made him a pecuniary compensation at the individual has been compliment. It is where the office has existed that we can do by way of compliment, and when we shall have made him a compliment, and whose duty it is to command the individual has been complimented with the title of a made him a pecuniary compensation at the individual has been complimented with the title of a made him a pecuniary compensation at the individual has been complimented with the title of a made him a pecuniary compensation at the individual has been compliment. It is where the office has existed that we can do by way of compliment, and when we can do by way of compliment, and when we can do by way of compliment, and when we can do by way of compliment, and when we can do by way of compliment. It is a compliment when the individual has been compliment. duty—any style or title which might be deemed a mere honorary or complimentary mark of distinction. If we would substitute in this instance one of the known styles or titles of nobility, no one could for a moment doubt that it would be an infringement of the Constitution.

If you can confer this title of distinction, pray let ment. When we speak of a general, we speak of image ment, and whose duty it is to command that regiment, and whose duty it is to command that regiment. When we speak of a general, we speak of him as onfer, and not as a compliment. The Father of his associated with his military and the performance of it. The Senator has admitted that a major general is the bighest military station that we have for the performance. counter to the spirit of the Constitution, something that is merely ideal, something that is mere style, mere title, and intended to elevate an individual as a marked point of pre-eminence above the rest of his fellow-citizens, on, this title of nobility, is not designed to be con- without imposing upon him any duty? It seems to me to be so.

I am, however, perfectly aware that opposition to the passage of this resolution is hopeless. I believe it will be passed by the Senate by a large majority. But, sir, I have reflected upon the subject. I believe I said nothing in regard to it at the last session, but I thought of it then : I have thought of it since, and I am most seriously of the

around the bush to touch the sanctity even of its spirit, lant general spoken of by the honorable Senator from Illinois. Suppose that when this country shall be in more imminent peril than it has been; when the combined naple between conferring a brevet for a lieutenant generalcy and I ask what your military established a brevet for a captaincy or a major generalcy, or any of his country is worthy of every thing that I shall never see the time when there will be a nether rank in the army?

this point of view, that I cannot favor this step. I hope by no means are the objections fallaciously made by my of his country is worthy of every thing that has preceded lishment without it would be worth? Not one cent. It of the rank in the army?

this point of view, that I cannot favor this step. I hope by no means are the objections fallaciously made by my of his country is worthy of every thing that has preceded lishment without it would be an armed mob. What sends the officer and services than have heretofore been performed; but if he ever shall arise, what then shall we do for him? The title in the Constitution, had reference to a particular class of adorned head surmounting a deformed and unornamented the duties and actions which become a part of your hisof lieutenant general will have been bestowed, and some known titles; but I think myself that the spirit of the shaft, but all is consistent and harmonious; and, Mr. tory? Their life is a life searching for distinction. I regreater mark of distinction will have to be bestowed up-

What shall it be? Mr. MASON. I did not intend, Mr. President, to take tion, without reference to the discharge of duties conny part in this debate, although, perhaps, it might have nected with it. I think the objections are well taken. any part in this debate, although, perhaps, it might have expected, representing as I do the State which had when it was believed we were about to get into a war the honor to give birth to the gallant captain upon whom on this occasion I should vote for the joint resolution; with France. He was then recalled from his retiracy, it is proposed to confer this mark of distinction, but that a suggestion has been made by the Senator who has just do not see that I can do so. It is evidently intended as taken his seat, that there was something in conflict with stead of giving a higher title than he had possessed in the the Constitution in confering this brevet rank. Sir, I revolutionary war, they had made a mistake. They were think I have been in the habit of construing the Constiderading him, and the title of lieutenant general was tution and its powers as strictly as most Senators on this degrading him, and the title of lieutenant general was a tution and its powers as strictly as most Senators on this never actually conferred upon him, but he received his floor; but it never occurred to me, nor has it occurred to those who have heretofore conferred brevet rank—for if by Congress, and the object of this resolution is merely to the objection applies to the grade of lieutenant general revive it in a brevet shape, as in the case of a captain, a it applies as well to the subordinate grades-that when have already given him a vote of thanks for his services. you increase military rank by a military name you there-I have before stated, and it is scarcely worth while to by create a title of any sort; for it is at last but creating a

The prohibition in the Constitution I apprehend is per-fectly intelligible. It is confined to an order and a class Why, sir, humble as I am, I had the honor of receiving a known as well to the common law of the world as any rates a class just as effectually as the sexes are separat-

success as will be hard to repeat again, from Vera Cruz nobility. I do not see, although I am satisfied that the to the city of Mexico, has received neither additional pay honorable Senator from Wisconsin is sincere, that there is not additional honor, except such as the country voluntary of this proposition can be drawn. The point in that case was this: Gen. Washingnor additional honor, except such as the country voluntary of this proposition can be drawn. The point in that case was this: Gen. Washingnor additional honor, except such as the country voluntary of the usual class of military of the usual class of m

this distinguished man achieved in the Mexican war. If I think the successful should always be character of that nation forever hereafter. So far from emplarily punished. The name of Scott will be treasured up in Mexico by the patriots of that land, although the Constitution. If it be, then we have been and distinguished Senator from Illinois who offered this resolution, he is the only one of all his colleagues who has received no recognition of his services in Mexico by

ments or greater pay on Gen. Scott?

What, then, is it proposed to do? Simply to revive, Mr. SHIELDS. I am free to say that it is my intention by brevet, an office which once existed. Whether it will or will not carry with it additional emolument I do not Mr. PETTIT. That would be an inducement for me to know, and should not inquire. I hope it may carry some ote for it. But I wish to ask a further question.

Mr. SHIELDS. I will reply to this first. That is a the army, who is obliged, from the necessity of his posiadditional emolument; because that man who commands

of the Senate to pass it. other officers. It is precisely the same provision that ap-Mr. SHIELDS. I do not know what the honorable Se- plies to the case of other brevets. Whether the officer money, command; an increase, a greater command, a a command proportioned to the rank.

greater power in the army. By "form," or by "shadow," I do not know but that the questions I mean mere title, a mere bauble, which I think would be of no use to Gen. Scott.

Mr. PETTIT. I do not know but that the questions which I think would be which I asked the Senator from Illinois, and the motives which induced me to ask them, have been misunderstood. I simply desired to know whether the brevet rank which practical view of this matter. He looks upon the money as the substantial thing, and upon the title as the "bauany additional pay? I have been revolving the matter in my mind as to whether these things would take place or not. I cannot say that I am very well informed about or not. I cannot say that I am very well informed about the organization of our army; but it seems to me that as to the first proposition there can be no higher command under the President conferred than Gen. Scott now has, in time of peace especially. He is next in command to the President; the President being the constitutional commander of the army. As to the increase of pay, if we have any existing law providing that a brevet officer shall have a higher pay than one who is not breveted, then this office of lieutenant general is beneath Gen. Scott's premay increase Gen. Scott's pay. The idea that I intended may increase Gen. Scott's pay. The idea that I intended to convey by the question that I asked was, that if I could learn that there was a necessity of increasing the command—fact that you have created the office especially for him to Mr. BAI giving a greater command than Gen. Scott now has—and fill it. Now, if you set the example of creating a new that it would directly or indirectly increase his pay, it would office for the general-in-chief every time that he performs be an inducement for me to vote for the joint resolution, believing, as I do, that neither the army nor the civil list of the United States is more than half paid. I would guides himself as much as Gen. Scott has done. It is not offensive now to refuse to confer a higher rank upon the army of the United States shall be appointed and commissioned by the style of 'general of the armies of the United States,' and the present office and title of lieutenant generally to increase Gen. Scott's pay; and I do not know his Country. We are now called upon to depart from the however, rather make it directly; and I said to the Senator from Illinois that I would vote for a proposition directly to increase Gen. Scott's pay; and I do not know but that I am prepared now, even in his lifetime, to fix, in anticipation, a pension upon his widow and his children; but that may be talked of hereafter. There is no man who entertains a higher estimation of the talents and military services of Gen. Scott than I do; none understanding them better them I do; none understanding them better them I do; none understanding them better them I do; nor would I do any standing them better than I do; nor would I do any thing to cast a blight or gloom over the declining years of that gallant officer. If he be desirous of receiving a to vote him medal after medal, I will do it with all my bauble or an additional feather in his cap, I do not know that I could find it in my heart to refuse it; but I would much rather know that it conferred substantial, lasting, and tangible benefit upon him, to soothe his declining years and benefit his family. If, therefore, it follows that there is that lasting, tangible, and substantial benefit following the conferring of this title, I should be much readier to you for it.

Mr. ADAMS. I do not wish to be understood as opposing any proposition which is intended to confer honor upon Gen. Scott, or reward him for the distinguished services which he has rendered to his country; but, notwhich has already passed the two Houses of Congress.

If the object be to pay him an additional compensation for his services, let it come up as a direct proposition.

If he has not been sufficiently paid, the country is ready to pay him; but do not let us do it indirectly.

It is said, however, by the distinguished Senator from in time of war, let them report a bill, and I will vote for

Illinois (Mr. Shields) that brevet appointments have been conferred upon various individuals from the commendement of the Government to the present time. That is ment of the Government to the present time. That is them bring forward a bill, and I will vote for the increase. true, sir; individuals having a particular rank in the If his pay is not sufficient, we ought to increase it. If he army have, by a vote of Congress, been complimented with a rank above their actual command, and received and his sacrifices, let us foot the bill at once; but do it pay accordingly. But I believe there is no solitary instance of creating a title or an office simply to bestow it case where Mr. Polk asked the creation of a lieutenant general it was not intended as a compliment. The condition of things, which Senators will recollect, and which he has earned the distinction which it is the object of this caused a conflict between this distinguished individual and the late President of the United States with regard of duty, but earned it by showing himself in the service to their separate commands, placed the then President | of his country to be one of the most consummate generals in an awkward and unpleasant condition in relation to that the history of the world can produce; earned it by a their difference. And, in order that there might be a campaign unrivalled in modern history, and perhaps in that the office of lieutenant general might be created in consummate military skill, executed with the most fear-the army. Congress refused to agree to the proposition; less courage and the most unerring accuracy; earned it

Mr. SHIELDS. Will the honorable Senator permit me single incident in which, with his knowledge, with his to say that this is not the creation of an office, but the consent, or so far as his ability to prevent it extended, the reviving of one that has been created? But the principle may be the same in both cases. However, it is reent of his Mexican foes; earned it, sir, by showing that

Mr. ADAMS. I understand that, sir; I understand defeated in the open field without surrendering the general that it is called a revival; yet it is the creation of an office to confer honor on an individual, when that individual has received and occupies the highest position in the army known to the laws of the land. It is said that every other distinguished general who has rendered services to the country has been breveted; and why is it that this distinguished individual has not been breveted? Because either military or otherwise, conferred as a mere distinc-

Mr. DOUGLAS. If I were to consult my feelings alone do not see that I can do so. It is evidently intended as a of his country surpassed only by those of that man to whom compliment to Gen. Scott. So far as the Senate of the none is equal and none is second—he who led our fore-United States can pay him a compliment, by expressing its approbation of his military conduct, its gratitude even. for his services in the Mexican campaign, I would heartily and cheerfully unite in the expression; but I think that has already been done. If I mistake not, we have

rank, in order to enable Gen. Washington to take the able services. For that reason the rank of lieutenant alone, that the office was then created, and that George Washington was appointed to it. If, then, it can be commanding officer shall have the rank of lieutenant general, I am willing to vote for it. And, sir, if the interests

Mr. SHIELDS. I will state to my colleague the difference between the brevet rank and the positive rank. The brevet rank is conferred for past services, the positive re-Mr. DOUGLAS. I am very glad that my colleague has

called my attention to that distinction, because I wish to make a remark upon it. I am aware that it is usual to confer a brevet rank upon an officer for past gallant services. That practice has prevailed heretofore in this country, and it is not my object now to object to it; but, matter within the discretion of the President of the Uni- tion, to consider himself the representative of the army while the law has recognised the propriety of conferring ted States. No brevet confers pay of itself. It is merely at home and abroad, has expenses necessarily devolved a brevet rank for gallant services, it has never extended intended as a high honorary military compliment for gal-lant services. But if the President of the United States charging. I have not inquired whether this brevet rank cause it was not possible to extend it to him. He was at assigns a man to a command proportioned to his brevet rank, then he is entitled to pay according to that rank, and in no other case; so that it will depend upon the Present age of the resolution, and I hope it will be the pleasure of the United States. Mr. PETTIT. I wish to ask the Senator whether there is any higher command than Gen. Scott now has to which he can be assigned? Is there a substance in this, or is it a mame, or a substance, or a substance in the can be assigned? Is it a name, or a substance, or a substance and substance are substance are substance and substance are substance are substance and substance are substance ar and rendered valuable services, we are to brevet him with title every time the incumbent shall distinguish himself in the line of his profession; and where is the vocabulary Mr. PETTIT. I mean by "substance" additional pay, or not will depend upon the real weakness of the case of other prevets. Whether the other in the line of this profession; and where is the vocabulary and where is the vocabulary of the case of other prevets. Whether the other in the line of this profession; and where is the vocabulary shall receive additional pay or not will depend upon the remight have been attributed either to the real weakness when he was a stripling, a youth, he entered the service when he was a stripling, a youth, he entered the service of the argument or to my obtuseness in not perceiving of the argument or to my obtuseness or the other or services? We have heretofore acted upon the principle ted States, a bill was passed which authorized the Presi- its force.

fill it. Now, if you set the example of creating a new | read it? gallant services, it would be offensive hereafter to re-fuse to make a new title for the next man who distin-

heart. And will you ask any other expression of appro-bation, of gratitude, of approval, in honor of the gallant officer, which will be a safe precedent to be followed in the future, and which may be applied with safety when another case arises, I will cheerfully do it; but, sir, I cannot agree to establish the principle that a new office must always be created for the head of the army when he eforms his duty, and thereby entitles him to our gratitude. It is with great reluctance that I am obliged to differ from my colleague, and what I apprehend to be the majority of the Senate, upon this question. It was not my purpose to have said a word; but I have thought it point, and I have done.

the highest sum that they will propose. If they are of opinion that his pay is not sufficient in time of peace, let by a direct money appropriation. Then, sir, when we have voted our thanks and our medals, and done all that Mr. BADGER. Mr. President, I shall have very great pleasure in voting for this bill, which proposes to do honor command above what the law then authorized, he asked ancient; earned it by a campaign contrived with the most and I believe there is no solitary instance in the history of this country of an office being created expressly to bestow a compliment. viving the office in the shape of a brevet instead of a command.

War can be conducted with the utmost bravery and gallantry, that fortified places can be stormed and armies defeated in the open field without surrendering the geneshould never be forgotten, that over the character of this this distinction by rendering military services in the cause fathers through the dreadful conflicts of the revolutionary struggle to an independence which they earned for us, and

which we now enjoy.

Mr. President, I did not expect to say one word on the have not a word to say, except that I have not heard the subject of this resolution. I had felt that it was scarcely shadow of an argument to establish the position. There was already voted Gen. Scott a medal for his conduct. We proper that gentlemen on this side of the chamber should have already given him a vote of thanks for his services. say a word upon the subject. I have heard this matter what higher compliment can we pay him? What higher more than once discussed in the Senate, and I have rething like the year 1808 or 1809, when the army was incompliment has the Senate or the nation ever been able to mained silent; but I now feel that there is nothing in the creased, Gen. Wilkinson, with the rank of brigadier genpay any man? Was more than that done for the Father circumstances of the case which should induce me to without with son had been placed at the head of the army. Suppose Gen. Wilkington, hold the expression of a sentiment which I deeply feel toin consideration of his services, than the expression of a wards one who, I am satisfied, nobly and richly deserves been sent to Mexico, and had carried on such a campaign and I do most fully believe that the Senators who oppose nation's gratitude? No. So far as I am advised, no it. And why, Mr President, should not this resolution as Gen. Scott did, should we be met with the objection man has ever proposed any thing in addition to that for the services of Washington to his country.

pass? All admit the merits of the object whose promotion to this additional rank is sought by it. Who, sir, tion to this additional rank is sought by it. Who, sir, confer the distinction upon him would be to create a rank The conferring the rank of lieutenant general upon will it harm? Will it displace any man from the just of nobility? The argument would not be received for a Gen. Washington is cited as a precedent for this case. I rank which he has acquired? Will it pluck a sprig of do not regard it as a precedent, nor do I regard it as an laurel from any gallant brows that now wear a wreath?

army, in order that he might conduct that war on our part; the highest ranks in the army were then filled; and stands prepared to give a vote of thanks. That has been grades to give a man proper influence and proper means if he should be made a major general, the highest rank already done, and certainly it would be in exceedingly had taste to repeat the thanks which have been once so cers who held commissions of the same grade and of older lemnly given by the Congress of the United States. He says the regulation. that he stands ready to vote him a sword. A sword is not the appropriate complimentary tribute to be given to one of command of the army; in order to put him at its head; his rank. He says that he is willing to vote him an increase as the honorable Senator from North Carolina (Mr. Banwhich is sweeping them off almost by myriads every year. Tall range which is sweeping them off almost by myriads every year. Tall range which is sweeping them off almost by myriads every year. Tall range which is sweeping them off almost by myriads every year. Tall range which is sweeping them off almost by myriads every year. Tall range which he set to the world in the conduct of n in order that the country might avail itself of his invaluof pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is not a triple within the service of pay, but him at its near. In stance is near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay, but him at its near the service of pay. able services. For that reason the rank of lieutenant general was created. It had no reference as a compliment to Washington's past services. No compliment could be paid him in that manner. It was created with reference to the necessity for his future services. It was with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with a view to the interests of his country, and to them with this difficulty, that if we establish the principal view to the interest of the view to the interests of his country. It was created with this difficulty, that if we establish the principal view to the interest of the view to the interest of his country. It was created with this difficulty, that if we establish the principal view to the interest of his country. It was created with this difficulty, that if we establish the principal view to the interest of his country. It was created with this difficulty, that if we establish the principal view to the interest of his country. It was created with this difficulty and the view to the interest of his country. It was created with the view to the interest of his country will be so bankrupt in its power to reward as not to be capable of rewarding such high and gallant feats as those which were performed by our army in Mexico.

When such a view to the interest of his country will be so bankrupt in its power to reward as not to be capable of rewarding such high and gallant feats as those which were will be so bankrupt in its power to reward as not to be capable of rewarding such high and gallant feats as those which were will be so bankrupt in its power to reward as not to be capable of rewarding su ciple that every officer who does his duty is to receive a brevet, we shall find ourselves inconveniently situated, because we shall want ranks in the army to supply the demands made on us for this complimentary distin mands made on us for this complimentary distinction. I would say, Mr. President, that I have no idea that a bre-I shall not waste the time of the Senate by saying any more upon this subject. I think the honorable Senator from Wisconsin, for whose opinion I have a high respect, he set the world will cast more discharge of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he the new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. And where does he had not a new of his arms. and successful services. Permit me to say that we may safely leave the difficulty that my friend from Illinois has aggested to take care of itself in the time that will come hereafter; for he may rest assured that if brevets upon those who shall achieve them by such a brilliant campaign as celebrated the advance of Gen. Scott from Vera Mr. WALKER, 7 before we shall be made so poor in titles as not to be at the shadow of an argument showing the unconstitutionliberty to acknowledge them. Do not let us look so far ality of the proposition now before the Senate. ahead. We have the case before us. The compliment is deserved, richly and eminently deserved. We have the that a military title was a title of nobility. means of paying it. Do not tell us that the generosity of Mr. WALKER. That is what the Senator says now

are mistaken. The title was not conferred on General Washington for the purpose of preventing him from being out-ranked. At the time of our difficulties with

that point.

General Scott has all the honor now that he could have if you created a new rank for him. He is now at the head. If you make a higher rank, and put him into it, he is then only at the head of the army. If you still make another for his successor, you only put him at the head of the army. Hence the point which I present is this:

that it is the act of the 3d of March, 1799? I have it Mr. BADGER. Will my friend be good enough to Mr. CLAYTON. I will read the ninth section of the

act, which is in these words:

word more; and I will not weary the Senate. As has the ordinary course of human events, he will be no longer among us. Now, sir, if we feel, as all my friends on both sides of the chamber have said, this ready acquiescence in his merits, admiration of his services, and willingness to do him honor, let us do him this honor. It may be that it is a bauble. It may be that it is but a feather. Why, sir, we know that when we measure the value of things by the highest standard all the distinctions of earth dwindle into insignificance and vanish into worthearth dwindle into insignificance and vanish into worth-lessness. Be it a bauble or a feather, to a soldier's heart it is dearer than untold millions. And though I have never exchanged a word with that gallant officer upon the subject of this brevet, yet I have reason to know that he would value it more and feel it more deeply than any my purpose to have said a word; but I have thought it due to myself to explain the ground upon which I shall give my vote, in order that no inference may be drawn of Let us now, while he is here, while he is among us, while Providence spares him to us, gild his declining years with given of the conduct of Gen. Scott which would still be a safe precedent for the future. One word on another out wrong or injury to others, without interference with our institutions, without constituting any precedent, bad or mischievous, let us honor him gracefully in the manner that will be most acceptable to his feelings.

Mr. DOUGLAS. I desire to say a word in reply to the

Senator from North Carolina. It will be perceived, by the reading of the act to bestow the office of lieutenantgeneral upon George Washington, that that office was created to enable Washington to enter the army in a rank ican war which, in some respects, place Gen. Scott pre-above others. That was the reason for the passage of eminently above all other military men. But is this a above others. That was the reason for the passage of the law. Hence it was passed with reference to future the law. Hence it was passed with reference to future services. It then being discovered that the rank of lieutenant general was below that which Gen. Washington attack upon the city of Mexico. In the first attack, the held while in command of the army of the Revolution, the subsequent act was passed to put him on the same footing which he occupied when he commanded the armies of the Revolution, thus showing that the object was to bring him into the army with the same rank in which he had acquired all his glory. They did not increase his rank above that of a general. There were many ranks known to military history much higher than that of general, and if the object of Congress had been to compliment Gen. Washington by promoting him to a higher rank than he formerly occupied, they would have made one higher than that of general, instead of being contented with conferring upon him the same old rank in which he had served through the Revolution.

I make this explanation only to show that this country did not deem it proper to increase the rank of Gen. Washington in consequence of the services which he had rendered. He having been the head of the army, that was the highest rank which he could hold, and they contented themselves with conferring upon him the same rank, instead of creating a new title in the army.

Mr. CASS. I had no idea of entering into the discus-

sion of this matter, because I have already heretofore given my views upon it to the Senate. I desire, however, to ask the Senator from Illinois (Mr. SHIELDS) whether this is the same bill that passed the Senate at the last

Mr. SHIELDS. It is precisely, word for word.
Mr. CASS. Then I shall vote for it, Mr. President. But I want to say one or two words in reply to some remarks which have been made here. This Government has adopted the practice of extending the reward of brevet rank to military officers. We all know that it ha been done ever since the foundation of the Government. Every man acquainted with the military system knows it. It is in full force, and now to refuse it in this case simply on the grounds which have been urged to-day would t he already holds the highest office in the army, except that held by the President, known to the laws of the forever; not that mere suspicious, and sometimes unviews expressed about human nature—about the despicastraw; your officers would not be worth having if they distinguished military chief there is a purity of moral were not animated by that noble sentiment. It animates virtue and excellence, completing a picture upon which us all, more or less, and it should do so. But beyond every nation, and has done since the first army went forth to battle.

you cannot give to Gen. Scott this brevetrank without creating a new rank. I would create a new rank. As to all that has been said about military offices being titles of nobility, I a time when you had not a full major general in your army. that we have no office of major general, and therefore to There is nothing in the rank of lieutenant genmoment. eral, or in the duties of lieutenant general, that takes it out of the usual class of military officers and duties. ton had retired from the army; he was a private citizen; must be answered in the negative.

it was apprehended that we were about to engage in a war with France; it was the wish of the nation that this complimentary rank—be conferred upon this distinment, or brigade, or army; but that is no reason why you should trust such a complimentary rank—be conferred upon this distinment. mand to a second lieutenant. You establish a series of of command, that his authority, for the sake of the country, should be properly exercised. That is the object of

Now, then, there is nothing in the office of lieutenant general that takes it out of this state of things. I say, gen) has said better than I am able to do, to my honorable friend from Illinois, (Mr. Douglas,) I trust this coun but the exchequer of true gratitude and feeling-the means of giving rewards. This is no common case. It is not the case of a man who in battle meets the enemy and behaves valiantly. It is the case of a high and noble commander who led our armies from Vera Cruz to Mexico, and carried the standard of the country in triumph and honor above difficulties, and dangers, and opposition alsir, that the consequence would be that every officer who served in the Mexican war, and who did not receive a brevet, would be stigmatized by the omission with the nevel, would be stigmatized by the omission with the nevel of duty. The brevet is conferred for extraordinary great commanders of the age. His name will go down to most unprecedented since the earliest ages. posterity among those men whose names I need not repeat, who stand pre-eminently forward in the history o the military world for the last century. . He needs no eulogium of mine. His best eulogies are his own deeds the commanders of armies are never conferred except on and the affections of his country. That is all I have to

Mr. WALKER. The Senator from Michigan said that Cruz to the city of Mexico, centuries will probably pass he had heard nothing which appeared to him like even Mr. CASS. I said that I had heard nothing to show

the nation may in time become bankrupt, and therefore we shall refuse to honor the just claims upon it now.

Mr. President, I have been tempted into these remarks.

that is what he meant. I listened to the argument of the Senator from Illinois, (Mr. Douglas,) and I thought that in what he said there was something which appeared to in what he said there was something which appeared to be not only a shadow, but the most material substance. I rose mainly for the purpose of making an explanation in respect to the licutenant generalship conferred on Gen.

George Washington. My impression is that gentlemen He says he has heard nothing like the shadow of an argu-He says he has heard nothing like the shadow of an argument in support of the constitutional objection. If I had made that remark in regard to the argument of the hon-

gentleman.
Mr. WALKER. I attempted, in my humble place to

answer that point when made by the Senator from Illi-nois, who introduced the resolution. He had asked, in reply to me, if there was not a distinction between a title of nobility and any title or office which at present exists in the army, and he instanced the title of captain, major, colonel, and major-general. I replied to that, and admitted that when duty is imposed there must be some term or designation applicable to the person who discharges that duty. I then added, as I believe prudently, if any Senator could point out any duty to be associated with the style or title which this resolution proposes to bestow? I have not yet heard an answer to that question. I have not heard it alleged that there is any duty to be associated or councerted with the title or any duty to be associated or connected with the title or style proposed to be conferred by the resolution. I also stated, and so did the Senator from Illinois, (Mr. Douglas,) that it was not in my power to determine what style or title should be bestowed upon the man who may hereafter equal Gen. Scott or Gen. Washington, if any shall equal them. The Senator from Michigan says that when the occasion shall Mr. BADGER. Allow me, Mr. President, to say one arise the exchequer of the nation's gratitude may be safely drawn upon for the reward to be bestowed. Re-ward to be bestowed! What is implied in that term? been said by my noble friend from Illinois, who sits near me, (Mr. Shields,) Gen. Scott is an old man. The sands of his life are fast running away. At no distant day, in seemingly an infraction of the constitution, but mani-festly a direct violation of it, in bestowing what is known

to be a distinction, a title of nobility.

What is the spirit of a title of nobility? It is a mark, what is the spirit of a title of nobility? It is a mark, an appellation, a style, or title, which is merely complimentary, merely titular, and which particularly sets an individual apart as one distinguished above his fellowmen for something which he has done. Will the Senator venture to go on further, from person to person, from de-gree to degree of service, until he shall have reached that point? If he is not willing to do that, let me say that he is now, in my opinion, about to take the first step of de-parture fram the Constitution. Whether he does or does not perceive the force of the constitutional objection, he is now taking the first step in this degree to confer a title of preferment upon an individual unassociated with any demand upon him for service.

Perhaps it may be inferred by some that those who

make opposition to the resolution would disparage the character of Gen. Scott for his military services. Far be any such design from us. The man who will not acknowledge in Gen. Scott the highest degree of eminence as a military man must either not have read and studied history, and the very modern history of the country, or he must have been unable to appreciate it when

Sir, there were circumstances associated with the Mex-American army, under Gen. Scott—a little army of less than nine thousand men—was before a city with a population of more than sixty thousand, and with an armed force of twenty-five thousand to defend it. The Americans fought the opposing army; they vanquished the foe. The foe were retreating; they were entering the gates of the city, crying that the Americans were upon them. It would then have been easy for our army, in the flush of its excitement and exhibaration of spirit, impelled by feelings of ambition, actuated by the events of the moment, to rush in and take the city, and put an end to the matter. But was that done? No. If that had been done it might have been attributed to the exhibaration of spirit natural to military men under such circumstances; but it was not done. There was a stop, an armistice. The armistice existed for days. In the mean time the enemy within the walls were arming; even the citizens themselves took up arms to resist the final and enable his forces to render themselves as strong as possi-ble. The Americans sat quietly down; their blood cooled; and so they remained until the armistice was at an end.

There is a moral associated with the uprising of that little army with mighty odds against them which, I think, is unprecedented in the annels of warfare. They rose; they resolved to take the city, though it contained a po-pulation of sixty thousand and an armed force of twentyfive thousand within its walls; and, without excitement, by the mere exercise of cool and deliberate courage, they marched forward and took it. When within its walls it was found that the streets were barricaded and fortified by batteries of cannon, and that the immediate thorough-fare to the citadel could not be travelled; and Gen. Scott and his army turned aside; they forced their way through solid walls and blocks of buildings until they reached point where they could actually command the city.

Never before in the history of warfare, in my opinion suspicious, and sometimes un-spring from mere bravery sepa-ble nature of gew-gaws, distinctions, and all that. Well, blood and courage. And standing above all, and comletter or in spirit. But, sir, if this resolution which was the serious reflection whether the country. We can confer no higher. There is no possible conferring upon him a higher honor than the every title that has been conferred upon an officer of the army—by the conferring of the title of general. What is the difference in principle between conferring a brevet for a lieutenant generalcy.

There is no possible country. We can confer no higher. There is no possible to us a human nature of gew-gaws, distinctions, and all that. Well, chance of conferring upon him a higher honor than the best own of the stranger of the almost of the stranger of the lieving so, I cannot vote for it. It proposes to confer a mere titular honor, infringing the spirit of the Constitution, which prohibits the bestowal of titles of nobility, and

for that I cannot vote.

Mr. SEWARD. Mr. President, for a period of five years, in five consecutive sessions of the Senate of the United States, the proposition has been submitted to authorize the President of the United States to confer the rank of brevet lieutenant general upon the commander of the heart of the patriot and the christian can rest with that, it is this feeling, this desire for distinction, which untiring and unalloyed satisfaction. Sir, he has earned upholds the military code and military establishment of every nation, and has done since the first army went of the battle.

My honorable friend from Illinois (Mr. Douglas) says that dispassionate consideration which should have been given to the subject. This is a time of peace and of political harmony throughout the country. It is a time when the country is ready and willing to see such honor bestowed upon this venerable general as he truly deserves. I have seen nothing more gratifying since I have been in this place than the very general disposition which is manifested on the other side of the chamber to receive this proposition, to consider it, to weigh it carefully, and to give a final and just decision upon it. I am convinced, sir, that every word that has been said by every Senator who has given his testimony to the character of Gen. Scott as a soldier, as a civilian, as a patriot, and as a christian, was sincerely spoken; the proposition oppose it conscientiously upon the grounds they state, and upon convictions of public duty which they have adopted, and not from any opposition to the distinguished citizen.

Mr. President, what reason can be given why the proposition shall not be adopted? It is said by the gentleman who last addressed the Senate that it is proposing to confer a brevet mititary rank, which is equivalent to conferring a title of nobility, and that it is therefore, in spirit at least, a violation of the Constitution. It seems to me, sir, that if there is any violation of the Constitution in this measure, the Constitution has been violated and wounded every year for the last fifty years, every year since it was established. An army, as organized, has various ranks, various ascending grades of office. The first which needs to be noticed is the rank of cadet, and the last and highest is that of commander-in-chief. In the very first step of the organization of our army we appoint cadets, who serve a certain period to qualify themselves for filling places in the army of the United States. When they have done that, and have acquired the education necessary to fit them for active service, the very first thing we do, if there is a vacancy in the rank above them, is to promote them to that vacancy. The next rank is that of second lieutenant; but masmuch as the office of second lieutenant is generally filled, we re-sort, and have resorted from the earliest adoption of our military organization, to the practice of promoting the cadet to the office of second lieutenant by brevet. And so, when the second lieutenant has performed his duties faithfully, and has distinguished himself, we promote him, if there is a vacancy, to a higher place. If there be no vacancy in the rank above him, we confer upon him the office of first lieutenant by brevet. So it is with regard to the offices of captain, major, colonel, brigadier general, and every officer of every grade. He achieves, and wins, and receives, in consideration of the distinguished services he has rendered to his country, absolute promotion if it be in our power to promote him, and if not, he re-ceives such a promotion as we can give, viz. promotion by brevet. That is to say, we give him the brevet place now, which will entitle him to the place fully when a va-

vancy shall happen.

If, then, there is any violation of the constitution in making a major general a lieutenant general by brevet, there is no more than there is in making a second lieutenant a first lieutenant or a captain by brevet. The principle is the same throughout.

I do not intend to say a word upon the general subject of the ground upon which this honor should be bestowed upon the gallant soldier for whom it is intended; but I will say that there are circumstances in the case which require that the honor, if it is ever to be conferred, should be conferred now. Gentlemen have alluded to the claims which have been established by this distinguished commander to receive this honor at the hands of his country by his services in the Mexican war. It is truly said by the honorable Senator from North Carolina that those services were only the capital placed on the top of the in the war with Great Britain in 1812. We find him